

**IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
PENNSYLVANIA**

<b>HOPE DAVIS, On Behalf of Herself and On Behalf of All Others Similarly Situated,</b>  <b>Plaintiff</b>  <b>v.</b>  <b>C&amp;D Security Management, Inc. d/b/a Allied Universal Security Services, and Universal Protection Services, LLC d/b/a Allied Universal Security Services, LLC,</b>  <b>Defendant</b>	<b>CIVIL ACTION</b>  <b>No. 2:20-cv-01758-MMB</b>
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**ORDER RE: DEFENDANT’S MOTION TO DISMISS**

**AND NOW**, this 27th day of July, 2020, upon consideration of Defendant’s Motion to Dismiss, (ECF 10), Plaintiff’s response in opposition, (ECF 14), and Defendant’s reply in support, (ECF 15), and for the reasons stated in the foregoing memorandum, it is hereby **ORDERED** that:

1. Defendant’s request to dismiss alleged violations of § 1681b(b)(3)(A)(ii) is **GRANTED**.

All individual and class allegations for violations of § 1681b(b)(3)(A)(ii) are **DISMISSED** with prejudice.<sup>1</sup>

2. Defendant’s request to dismiss or strike class allegations is **DENIED** without prejudice. Defendant may raise the issue at class certification.

**BY THE COURT:**

s/ Michael M. Baylson

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**MICHAEL M. BAYLSON**  
United States District Court Judge

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<sup>1</sup> Claims in Count I related to § 1681b(b)(3)(A)(i) remain pending.